



2021 SENATE BILL 562

September 15, 2021 - Introduced by Senators BALLWEG, BERNIER, CARPENTER, COWLES, DARLING, FELZKOWSKI, KOOYENGA, PFAFF and L. TAYLOR, cosponsored by Representatives LOUDENBECK, VANDERMEER, J. RODRIGUEZ, BILLINGS, CABRERA, DUCHOW, KITCHENS, KURTZ, MURSAU, L. MYERS, NOVAK, OLDENBURG, SNYDER, STUBBS, SUBECK, TAUCHEN, THIESFELDT and TUSLER. Referred to Committee on Insurance, Licensing and Forestry.

1 **AN ACT to amend** 49.46 (1) (a) 1m., 49.46 (1) (j), 49.47 (4) (ag) 2., 49.471 (6) (b)
2 and 49.471 (7) (b) 1.; and **to create** 49.471 (6) (L) of the statutes; **relating to:**
3 extension of eligibility under the Medical Assistance program for postpartum
4 women.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Health Services to seek approval from the federal Department of Health and Human Services to extend to women who are eligible for Medical Assistance when pregnant Medical Assistance benefits until the last day of the month in which the 365th day after the last day of the pregnancy falls. Currently, postpartum women are eligible for Medical Assistance benefits until the last day of the month in which the 60th day after the last day of the pregnancy falls. The Medical Assistance program is a joint federal and state program that provides health services to individuals who have limited financial resources.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 49.46 (1) (a) 1m. of the statutes is amended to read:

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1 49.46 (1) (a) 1m. Any pregnant woman whose income does not exceed the
2 standard of need under s. 49.19 (11) and whose pregnancy is medically verified.
3 Eligibility continues to the last day of the month in which the 60th day or, if approved
4 by the federal government, the 365th day after the last day of the pregnancy falls.

5 **SECTION 2.** 49.46 (1) (j) of the statutes is amended to read:

6 49.46 (1) (j) An individual determined to be eligible for benefits under par. (a)
7 9. remains eligible for benefits under par. (a) 9. for the balance of the pregnancy and
8 to the last day of the month in which the 60th day or, if approved by the federal
9 government, the 365th day after the last day of the pregnancy falls without regard
10 to any change in the individual's family income.

11 **SECTION 3.** 49.47 (4) (ag) 2. of the statutes is amended to read:

12 49.47 (4) (ag) 2. Pregnant and the woman's pregnancy is medically verified.
13 Eligibility continues to the last day of the month in which the 60th day or, if approved
14 by the federal government, the 365th day after the last day of the pregnancy falls.

15 **SECTION 4.** 49.471 (6) (b) of the statutes is amended to read:

16 49.471 (6) (b) A pregnant woman who is determined to be eligible for benefits
17 under sub. (4) remains eligible for benefits under sub. (4) for the balance of the
18 pregnancy and to the last day of the month in which the 60th day or, if approved by
19 the federal government, the 365th day after the last day of the pregnancy falls
20 without regard to any change in the woman's family income.

21 **SECTION 5.** 49.471 (6) (L) of the statutes is created to read:

22 49.471 (6) (L) The department shall request from the federal department of
23 health and human services approval of a state plan amendment, a waiver of federal
24 Medicaid law, or approval of a demonstration project to maintain eligibility for
25 postpartum women to the last day of the month in which the 365th day after the last

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1 day of the pregnancy falls under ss. 49.46 (1) (a) 1m. and 9. and (j), 49.47 (4) (ag) 2.,
2 and 49.471 (4) (a) 1g. and 1m., (6) (b), and (7) (b) 1.

3 **SECTION 6.** 49.471 (7) (b) 1. of the statutes is amended to read:

4 49.471 (7) (b) 1. A pregnant woman whose family income exceeds 300 percent
5 of the poverty line may become eligible for coverage under this section if the
6 difference between the pregnant woman's family income and the applicable income
7 limit under sub. (4) (a) is obligated or expended for any member of the pregnant
8 woman's family for medical care or any other type of remedial care recognized under
9 state law or for personal health insurance premiums or for both. Eligibility obtained
10 under this subdivision continues without regard to any change in family income for
11 the balance of the pregnancy and to the last day of the month in which the 60th day
12 or, if approved by the federal government, the 365th day after the last day of the
13 woman's pregnancy falls. Eligibility obtained by a pregnant woman under this
14 subdivision extends to all pregnant women in the pregnant woman's family.

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(END)